

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

Plaintiff,

v.

Alfredo HERRERA-Moreno

Defendant.

Magistrate Case No.: '08 MJ 8275


COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960  
Importation of a Controlled  
Substance (Felony)


The undersigned complainant being duly sworn states:

That on or about March 29, 2008, within the Southern District of California, defendant Alfredo HERRERA-Moreno did knowingly and intentionally import approximately 23.28 kilograms (51.21 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

  
Paul Lewenthal, Special Agent  
U. S. Immigration & Customs  
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 1<sup>ST</sup>  
DAY OF APRIL 2008.

  
PETER C. LEWIS  
UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, Special Agent Paul Lewenthal, declare under penalty of perjury, the following is true and correct:


On March 29, 2008, Alfredo HERRERA-Moreno entered the United States through the Calexico, California West Port of Entry. HERRERA was the driver and sole occupant of a black Nissan Maxima bearing Baja California, Mexico license plates BED1144. U.S. Customs and Border Protection Officers discovered 23.28 kilograms (51.21 pounds) of marijuana concealed within the vehicle's floor board. One package was probed by CBP officers, revealing a green leafy substance, which tested positive for marijuana.

HERRERA was arrested in violation of Title 21 United States Code 952, Importation of a Controlled Substance. HERRERA acknowledged and waived his Miranda Rights. HERRERA acknowledged the presence of the marijuana within the vehicle. HERRERA was processed and transported to the Imperial County Jail to await an initial appearance before a U.S. Magistrate Judge.

Executed on March 30, 2008 at 1440 HRS

  
Paul Lewenthal, Special Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page (s), I find probable cause to believe that the defendant (s) named in this probable cause statement committed the offense on March 29, 2008 in violation of Title 21, United States Code, Section 952 and 960.

  
Anthony J. Battaglia, U.S. Magistrate Judge

3/30/08 3:30pm